

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

DON GIBSON, LAUREN CRISS, and
JOHN MEINERS, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

THE NATIONAL ASSOCIATION OF
REALTORS, et al.,

Defendants.

Case No. 4:23-cv-00788-SRB

**DEFENDANT BERKSHIRE HATHAWAY ENERGY COMPANY'S
MOTION TO CERTIFY PURSUANT TO 28 U.S.C. § 1292(b) THE COURT'S ORDER
DENYING BERKSHIRE HATHAWAY ENERGY COMPANY'S
MOTION TO TRANSFER PURSUANT TO 28 U.S.C. § 1404**

May 30, 2025

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Pursuant to 28 U.S.C. § 1292(b), Defendant Berkshire Hathaway Energy Company (“BHE”) respectfully moves this Court to certify for immediate interlocutory review the Court’s May 12, 2025 order, ECF No. 741 (the “Transfer Order”), denying BHE’s motion to transfer under 28 U.S.C. § 1404(a), ECF No. 713, given that the Transfer Order involves several important and controlling questions of law as to which there are substantial grounds for a difference of opinion and whose resolution would materially advance the ultimate termination of the litigation. The reasons for this motion are more fully set forth in the accompanying Suggestions in Support.

Dated: May 30, 2025

/s/ Jeffrey J. Simon

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on May 30, 2025 on all counsel of record by virtue of the Court's CM/ECF system.

/s/ Jeffrey J. Simon